

JOSEPH P. RUSSONIELLO (CNB 44332)  
United States Attorney

BRIAN J. STRETCH(CABN 163973)  
Chief, Criminal Division

OWEN P. MARTIKAN (CSBN 177104)  
Assistant United States Attorney

450 Golden Gate Avenue, Box 36055  
San Francisco, California 94102-3495  
Telephone: (415) 436-7241  
FAX: (415) 436- 7234  
[owen.martikan@usdoj.gov](mailto:owen.martikan@usdoj.gov)

Attorneys for Plaintiff

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

|                           |   |                                       |
|---------------------------|---|---------------------------------------|
| UNITED STATES OF AMERICA, | ) | No. CR 07-0738 MMC                    |
|                           | ) |                                       |
| Plaintiff,                | ) |                                       |
|                           | ) | STIPULATION AND <del>[PROPOSED]</del> |
| v.                        | ) | ORDER CONTINUING CHANGE OF PLEA       |
|                           | ) |                                       |
| NOE ARIAS-ORDONEZ,        | ) |                                       |
|                           | ) |                                       |
| Defendant.                | ) |                                       |
| _____                     | ) |                                       |

The parties stipulate and respectfully ask the Court to order as follows:

That defendant's change of plea in this case, currently set for Wednesday, January 30, 2008 at 2:30pm, be continued to **Wednesday, February 13, 2008 at 2:30pm** due to government counsel's scheduling conflict involving another change of plea.

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1 The parties further request that the exclusion of time for continuity and preparation of  
2 counsel be extended to February 13, 2008.

3 So stipulated.

4 DATED: January 25, 2008

5 JOSEPH P. RUSSONIELLO  
United States Attorney

6  
7 /s/ Owen Martikan  
8 OWEN P. MARTIKAN  
Assistant United States Attorney

9 DATED: January 28, 2008

10 BARRY J. PORTMAN

11  
12 /s/  
ELIZABETH M. FALK  
13 Attorney for Defendant

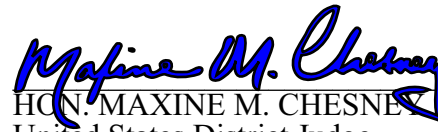
14 ~~[PROPOSED]~~ ORDER

15 Pursuant to the parties' stipulation with the defendant's consent, the Court hereby  
16 orders that defendant's change of plea be continued from January 30, 2008 at 2:30pm until  
17 February 13, 2008 at 2:30pm.

18 Time is excluded under the Speedy Trial Act through February 13, 2008 for  
19 continuity and effective preparation of counsel, which interests outweigh any other interests  
the defendant or the public may have in proceeding without such exclusion.

20  
21 SO ORDERED.

22  
23 Dated: January 29, 2008

24   
25 HON. MAXINE M. CHESNEY  
United States District Judge